

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BRYAN E. SAYLOR,

Plaintiff,

vs.

ALLISON, et al.,

Defendants.

**1:21-cv-01282-JLT-GSA-PC**

**ORDER WITHDRAWING FINDINGS  
AND RECOMMENDATIONS  
(ECF No. 19.)**

**ORDER ACKNOWLEDGING PAYMENT  
OF FILING FEE IN FULL**

**ORDER FOR CLERK TO REFLECT  
PLAINTIFF'S PAYMENT OF THE  
FILING FEE ON THE COURT'S  
DOCKET**

Bryan E. Saylor ("Plaintiff") is a state prisoner proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. §1983. Plaintiff filed the Complaint commencing this action on August 24, 2021. (ECF No. 1.)

On November 4, 2021, the court issued an order requiring Plaintiff to pay the \$392.75 balance of the filing fee owed for this action in full within thirty days. (ECF No. 16.) The thirty-day time period expired and Plaintiff had not made any payment or otherwise responded to the Court's order. On January 21, 2022, the court issued findings and recommendations, recommending that this case be dismissed for Plaintiff's failure to comply with the court's order. (ECF No. 19.)

1 On January 31, 2022, Plaintiff filed objections to the findings and recommendations.  
2 (ECF No. 21.) Plaintiff asserted that he paid the filing fee in full nearly two months ago and he  
3 was billed by CDCR for payment of \$392.75.

4 Based on Plaintiff's assertion the court contacted its financial department and requested  
5 information regarding Plaintiff's payment record. The financial department responded and  
6 verified that Plaintiff has indeed paid the entire filing fee for this case. Therefore, the court shall  
7 withdraw its findings and recommendations issued on January 21, 2022.

8 Accordingly, the Court **HEREBY ORDERS** that:

- 9 1. The findings and recommendations (ECF No. 19) issued by the court on January  
10 21, 2022, are **WITHDRAWN**;
- 11 2. The court acknowledges that Plaintiff has paid the filing fee for this case in full;  
12 and
- 13 3. The Clerk shall reflect on the court's docket that Plaintiff paid the \$392.75 balance  
14 of the filing fee for this action,

15  
16 IT IS SO ORDERED.

17 Dated: **February 2, 2022**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE